

1. *Francis E. Fletcher*
Huntington Dept. of Game
Box 1540 Glacien NW
Spokane, WA 99223

778320

Francis Fletcher
OCT 28 11 47 AM '85
FRANCIS FLETCHER, AUDITOR
GRANT COUNTY, WA.
Ephraim H. ... DEPUTY

Agreement
Banks Lake Kokanee Mitigation Plan
for
Main Canal and Summer Falls Power Plants
FERC License 2849, 3295

THIS AGREEMENT, by and between the Quincy Columbia Basin Irrigation District, East Columbia Basin Irrigation District and South Columbia Basin Irrigation District as operators and owners of Federal Energy Regulatory Commission projects 2849 and 3295, and the Washington Department of Game, herein party to, has been developed to meet the requirements of Article 40 of the Federal Energy Regulatory License 2849. This agreement will function to coordinate the purchase, installation and operation of a barrier net in Banks Lake to minimize kokanee entrainment into the Main Canal and subsequent mortality from the Main Canal Headworks and Summer Falls power plants.

RECITALS

1. This agreement represents the mitigation plan required by Article 40 of the Order Issuing License (Major) for Project 2849 issued by the Federal Energy Regulatory Commission on November 16, 1981.
2. The Washington Department of Game has the responsibility to preserve, protect and perpetuate fish and wildlife resources in the State of Washington. Through this agreement, the Washington Department of Game also implements its responsibility under the Fish and Wildlife Coordination Act, 16 USC Section 61, et seq., to report to the Federal Energy Regulatory Commission regarding appropriate measures for mitigating the adverse impacts of this project on the game fish managed under State Law RCW 77.12.010.
3. The impacts of these Projects upon the kokanee fishery, its habitat and related recreational opportunity have been identified. Appropriate mitigation measures for the kokanee fishery resource have been requested by the Washington Department of Game. This document memorializes the agreement of the parties hereto with respect to all mitigation measures which have been agreed upon for this fishery. These measures are set forth in this plan agreement. This agreement also constitutes a real covenant running with the Project, and it will be filed on record in Grant County to bind the parties, their successors, assignees or purchasers.

2. PURCHASE, PLACEMENT, MAINTENANCE AND REPLACEMENT

- A. The Columbia Basin Irrigation Districts will be responsible for purchase of the barrier net as soon as possible following the execution of this agreement. The new net will be purchased before the start of the 1986 use period. In the event the new net is not acquired by May 15, 1985, the existing net will be used for only the 1985 entrainment period.
- B. It will be the responsibility of the three Columbia Basin Irrigation Districts to put the barrier net(s) into place each year on the 15th of May with the start of kokanee entrainment period and be maintained in place until the end of the irrigation season.

Following annual net removal at the end of the irrigation season, the Washington Department of Game and three Columbia Basin Irrigation Districts will jointly inspect the barrier net to determine if replacement and/or repair for the upcoming season will be necessary. If the need for replacement or repair of the barrier net can not be mutually agreed upon by the three Columbia Basin Irrigation Districts and the Washington Department of Game, the Federal Energy Regulatory Commission will be requested to arbitrate on the final decision for repair or replacement of the barrier net.

- C. In 1986, maintenance of the new barrier net shall require, but not be limited to thorough inspection of the net once every other week, during the first three months of it's placement. At the end of the first three months of operation, a meeting will be held with the three Columbia Basin Irrigation Districts and Washington Department of Game to jointly establish a maintenance schedule for the remaining portion of the 1986 barrier net season.
- D. It shall be the responsibility of the three Columbia Basin Irrigation Districts to keep a log of the barrier net status and maintenance activities. The Washington Department of Game may inspect the net in conjunction with regular net maintenance. The Washington Department of Game may inspect maintenance log at any time they desire and may require repair or replacement of the net as inspection may indicate to minimize kokanee entrainment into the Main Canal Headworks and Summer Falls power plants. The Washington Department of Game reserves the right to inspect the barrier net any time it appears to be not operating effectively in preventing kokanee entrainment.

4. The Columbia Basin Irrigation Districts have been licensed by the Federal Energy Regulatory Commission to construct the Main Canal Headworks and Summer Falls power plants, FERC Project's 2849 and 3295, respectively.
5. Article 40 of the Main Canal Headworks FERC Project 2849 License requires that the Districts shall, "in consultation with the Washington Department of Game, the U.S. Fish and Wildlife Service and Bureau of Reclamation develop an appropriate plan for mitigating any project impacts on the kokanee populations in Banks and Billy Clapp lakes. Licensees shall within one year from the date of issuance of this license, file with the Commission a report containing the proposed plan and copies of letters from the above agency commenting on said plan."
6. Since 1976, an experimental barrier net has been installed during the irrigation season to study the impact of such a barrier net upon the entrainment of the adult kokanee from Banks Lake into the Main Canal.
7. The District and the Washington Department of Game, as mentioned in Article 40 are desirous that the developed kokanee fishery in Banks Lake will be maintained as hereinafter set forth.

NOW, THEREFORE, in accordance with the Federal Energy Regulatory Commission's requirement for a Kokanee Mitigation Plan to minimize entrainment of adult kokanee from Banks Lake into the Main Canal Headworks and Summer Falls power plants during the period of the license, it is agreed:

1. BARRIER NET SPECIFICATIONS: It will be the Licensee, the three Columbia Basin Irrigation Districts, responsibility to better determine the profile of the lake bottom at the three channels requiring net coverage, and obtain a three-part barrier net, being a 2 1/2 inch stretch mesh of 336 denier polyester with a combined length of 3,250 feet, which will be treated with a butyl tin oxide compound to control fouling.

Due to the fact that the above mentioned represents a proposed net, the Washington Department of Game's concurrence of net suitability for kokanee mitigation shall be required prior to purchase of a barrier net. Barrier net and leveling course buoys will be maintained in place whether or not the net is in place. The proposed net will also require Bureau of Reclamation approval for project related suitability.

The three Columbia Basin Irrigation Districts and Washington Department of Game shall meet annually following barrier net removal at the end of the irrigation season to determine the need for any modifications into the existing maintenance schedule and/or activities. Any change in the barrier net maintenance activities shall require concurrence by the Washington Department of Game and the Bureau of Reclamation. If a mutually agreeable decision can not be achieved regarding barrier net maintenance activities and schedules by the Washington Department of Game and the three Columbia Basin Irrigation Districts, the Federal Energy Regulatory Commission will be requested to arbitrate making a final determination on these activities.

- E. Funding for the operation, maintenance and storage of the barrier net(s) for life of FERC Project License 2849 shall be the responsibility of the three Columbia Basin Irrigation Districts.

3. COMMUNICATIONS

Meetings may be requested by any of the following parties to discuss timing of barrier net placement, condition of net, operation of net and/or replacement of net:

For the Washington Department of Game
The Regional Administrator
Located at Ephrata, Washington

For the Licensee
The Secretary Manager
Power Generation Division
South Columbia Basin Irrigation District

For the Bureau of Reclamation
The Project Manager
Located at Ephrata, Washington

4. TERM AND TERMINATION OF AGREEMENT:

- A. This agreement becomes effective on the date of the last signature to the agreement and will run for the life of the FERC License for their Project No. 2849 issued November 16, 1981.
- B. This agreement will terminate immediately with the withdrawal of the license by the Federal Energy Regulatory Commission, in the event of some nationalization action by the governmental agency, or with mutual agreement of the signatory parties.

IN WITNESS WHEREOF the parties hereto have signed their name on the day and year indicated.

For the Licensee

East Columbia Basin Irrigation
District

Henry Schaper
President of the Board

6-5-85
Date

ATTEST:

Richard L. Schaper
Secretary

6-5-85
Date

For the Washington
Department of Game

Jack S. Wayland
Director

7/19/85
Date

D. H. L. L.
Approved by A.A.G.

7/16/85
Date

Quincy Columbia Basin Irrigation
District

John H. H. H.
President of the Board

6-4-85
Date

ATTEST:

John H. H. H.
Secretary

6-4-85
Date

South Columbia Basin Irrigation
District

John H. H. H.
President of the Board

6-27-85
Date

ATTEST:

John H. H. H.
Secretary

6-28-85
Date

INCONCURRENCE:

For the Bureau of Reclamation

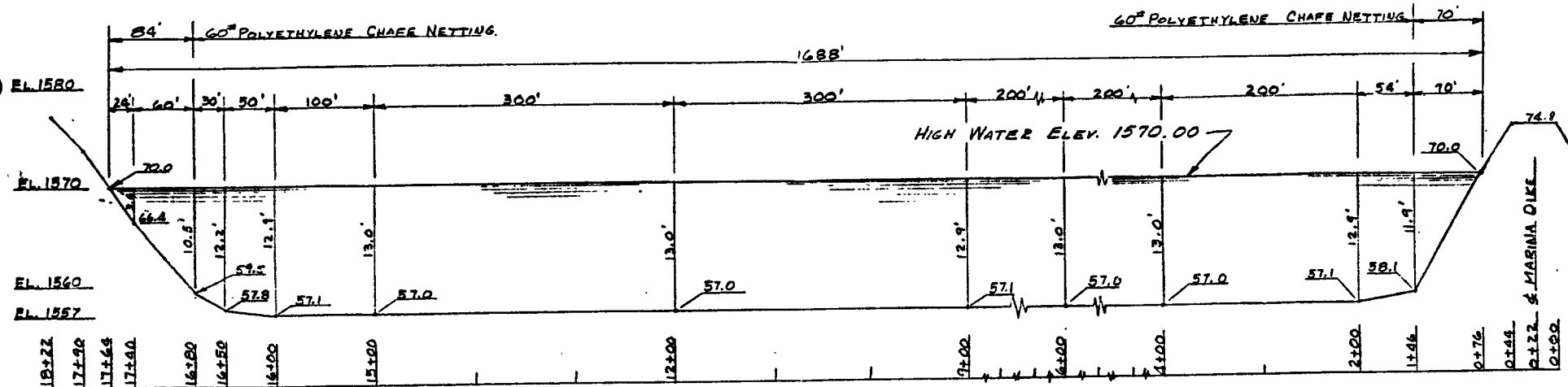
Eric L. P. Bye
Project Manager

JUL 5 1985
Date

U. S. Fish and Wildlife Service

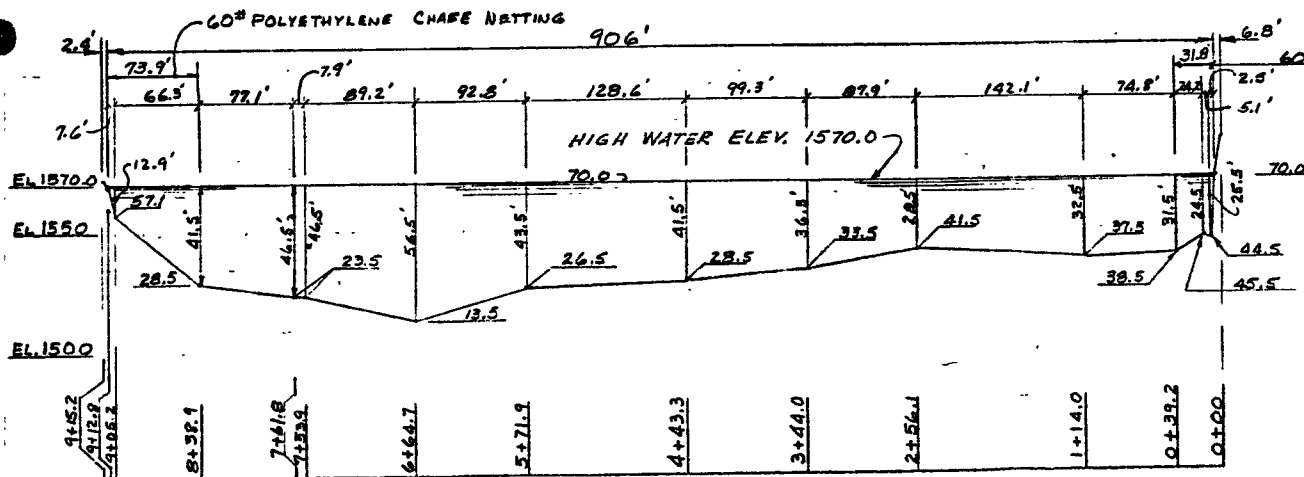
Charles A. Dunn
Field Supervisor

7/16/85
Date



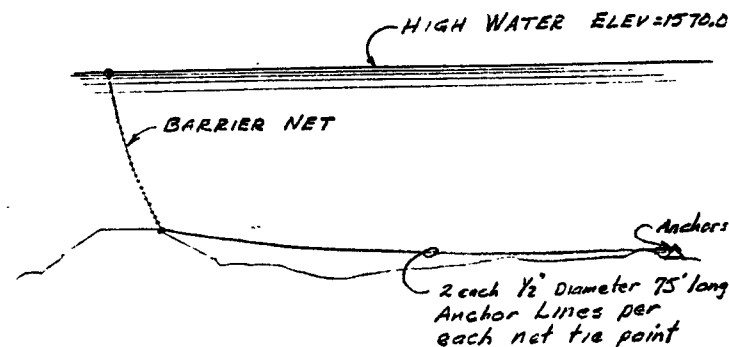
PROFILE OF EAST - WEST BARRIER NET

SCALE: HORIZ. - 1" = 100'
VERT. - 1" = 10'



PROFILE OF NORTH - SOUTH BARRIER NET


SCALE: HORIZ. - 1" = 100'
VERT. - 1" = 50'

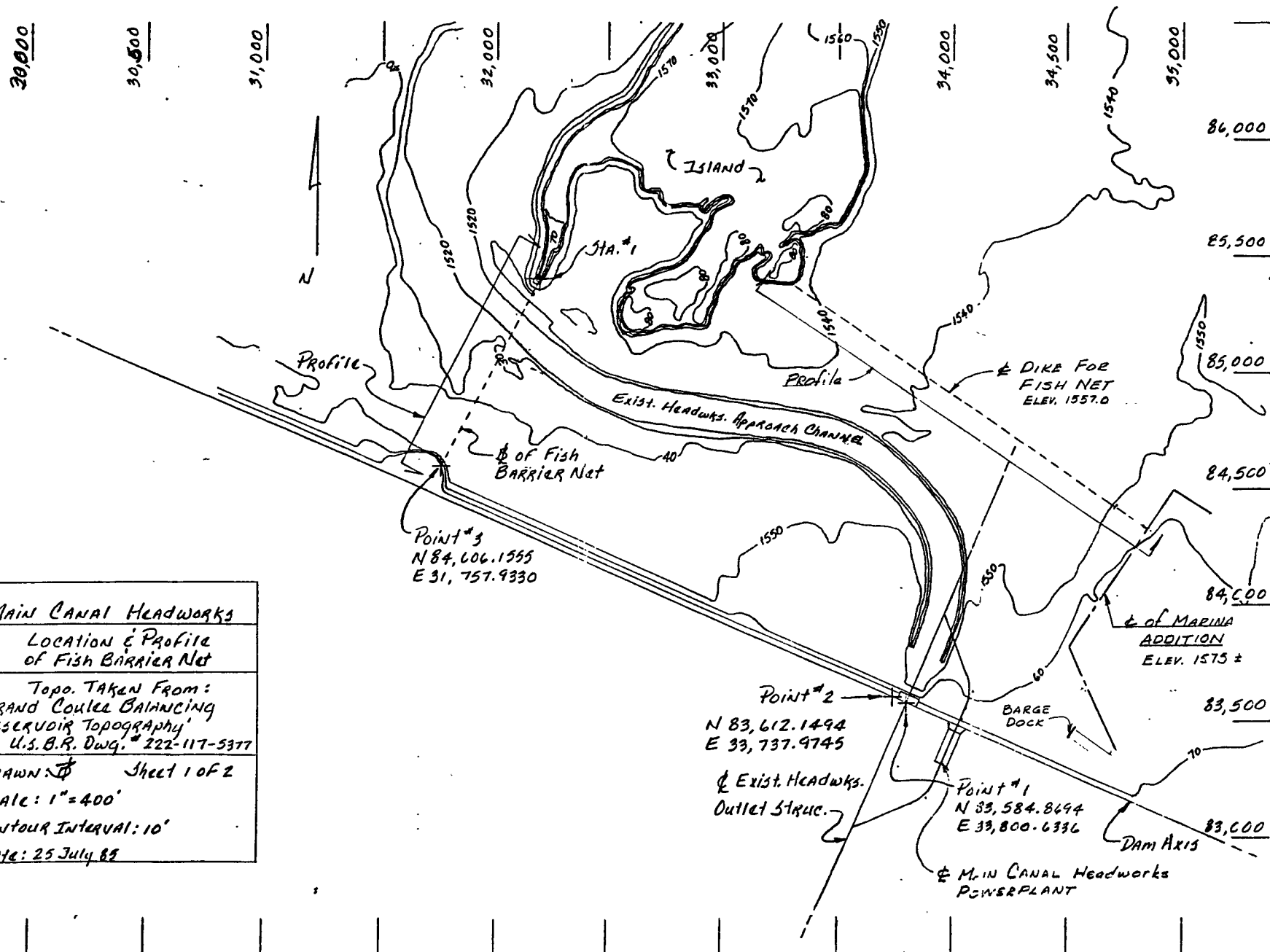


TYPICAL SECTION ACROSS NET

NOT TO SCALE

MAIN CANAL HEADWORKS
FISH BARRIER NETS
PROFILES

Main Canal Headworks	
Location & Profile of Fish Barrier Net	
Topo. Taken From: 'Grand Coulee Balancing Reservoir Topography' U.S.B.R. DWG. # 222-117-5377	
Drawn: 	Sheet 1 of 2
Scale: 1" = 400'	
Contour Interval: 10'	
Date: 25 July 89	



509/545-2070 • 400 W. Columbia • P.O. Box 1006 • Pasco, Washington 99301

RECEIVED
FEB 14 1985
STATE OF WASHINGTON
DEPARTMENT OF REVENUE
SPHRATA OFFICE

To: Joe Foster
From: M.L.
Re: Bunkas Lake Basin
net.
Please review and comment
ASAP. You might want to
talk to Larry Richardson
■ This appears lacking
in specifics to me?
cc Ray Duff
~~_____~~

SUPPLY OF
MAIN CANAL HEADWORKS
FISH BARRIER NETS

SCOPE OF JOB

This document covers the requirements for the manufacture and delivery of two (2) fish barrier nets and the pertinent float lines, lead lines and anchor lines.

SITE LOCATION

Coulee City, Washington, which is approximately 95 miles west of Spokane on U. S. Highway 2.

EQUIPMENT & MATERIAL FURNISHED BY SUPPLIER

NETS:

1. Supply one net for each of the two profiles shown on the attached drawing.
2. The main body of the nets will be fabricated of 2½" mesh, stretch measure, #336 (approximately 125# tensile) Polyester knotless netting hung on a one-third basis.
3. The ends of each net will be fabricated of 2½" mesh, stretch measure, #60 Polyethylene Chafe netting. See attached drawing for dimensions and location.
4. Depth of net must vary to conform to the bottom contours (see attached drawing) and must include an extra 10% in length dimensions and 5% in depth dimensions to compensate for irregularities and sags.
5. Treat net with 10% diluted white flexguard anti-fouling compound, after hanging, so that the complete net is protected.

FLOAT & LEAD LINES

1. Lines to be 1/2" diameter Polyester double-braid (as Sampson Stable Braid or equal) with compatible galvanized thimble on each end.
2. Hanging twine to be #36 spun-nylon.
3. Floats 3" x 2½" spaced on 12" centers.
4. 3/16" galvanized chain secured to leadline with galvanized hog rings on 12" center with sharp points turned in.

ANCHOR LINES

1. Supply 12 each anchor lines. Lines to be 1/2" diameter Polyester double-braid (as Samson Stable Braid or equal) with compatible galvanized thimble on each end.

SHIPPING & DELIVERY

The supplier shall arrange and pay for shipment and delivery of the completed nets to Owners Project site (See SITE LOCATION). The supplier shall notify the owner of the estimated date and time of delivery at least forty-eight (48) hours before delivery.

PAYMENT

Payment will be made on or before thirty (30) days after delivery and invoicing.

INFORMATION FOR BIDDERS

The bidder shall state specific amounts for which he proposes to supply and deliver the materials.

The bidder shall state the number of days following effective date of the Notice to Proceed in which he proposes to complete and deliver the material to Owners' site.

The issuance of a Purchase Order will be that responsible bidder whose bid is selected by the District, conforming to the Bid Documents, and is most advantageous to the Owner, price, time and other factors considered.

The Owner will consider as equalizing factors between bids (1) the merit of the materials offered and (2) the guaranteed delivery time.

The bidder will submit sufficient literature and data to show his qualifications for supplying this material. This literature will include:

1. History or references of other jobs of this type,
2. Sample or detailed information on floats,
3. Sample label of anti-fouling compound that will be provided. (This will be submitted to E.P.A. for Registration No.)
4. Your recommendations for storage during winter months.

STATE OF WASHINGTON
DEPARTMENT OF GAME

7/17/85

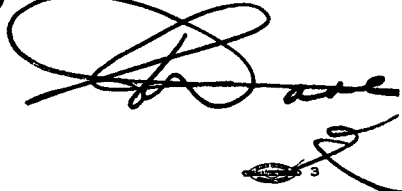
Memo for

JACK:

ENCLOSED ARE 7 COPIES
OF THE BAYAS LAKE MITI -
GATION AGREEMENT. NEED
SIGNATURE OF OR FOR
DIRECTOR ON ALL 7. THIS
IS A GOOD DEAL AS WE
HAVE BEEN TRYING TO
RESOLVE THIS ISSUE FOR
(ABOUT 5 yrs. EVERYTHING
IS OK AND APPROVED BY
ONLY WEEKS.)

PLEASE RETURN ALL 7
TO MR.

THANKS.



CC: Tracy
Llog
Original back
To DG
Please
10/23/85